

DEPARTMENT OF STATE

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REMARKS BY THE HONORABLE HENRY A. KISSINGER
SECRETARY OF STATE
AFTER MEETING WITH AMBASSADOR HAMILTON SHIRLEY AMERASINGHE
PRESIDENT OF THE LAW OF THE SEA CONFERENCE
AT THE UNITED NATIONS, SEPTEMBER 1, 1976

SECRETARY KISSINGER: Thank you, very much. I came here first of all to pay tribute to the President of this Conference for the impartial and thoughtful way in which he has conducted what is probably the most important negotiation that is now going on anywhere. With three-quarters of the world surface being put under the possibility of some international legal system, the stakes could hardly be higher. And the issues are, of course, extremely complicated. The United States will make a major effort to bring these negotiations to a satisfactory conclusion. Satisfactory must mean, as the President correctly pointed out, a solution that all groups and all nations can accept. And it is not possible for one nation or for any group of nations to seek to impose its views on the others. Now in the three committees that are working: in Committee II dealing with the so-called economic zone, and in Committee III dealing with scientific research we believe that reasonable progress is being made and we are quite optimistic that an agreed solution of at least a general outline can be found at the end of this session. In Committee I, it is our view that the negotiating tactics have been too confrontational and that there has been too much of a tendency to seek to approach it by means of bloc approaches. That will not work. No group can impose its preferred solution on the other. The United States has proposed at the last session the so-called "dual access system" in which one part of the ocean is available for nations and their firms and the other is mined by an international Enterprise and all of it is put under a general international authority. We cannot give up this principle, but what we can do and what I'm here to discuss with my colleagues is how the international Enterprise can in fact function so the international Enterprise will in fact have the financial resources and the means to proceed. We are also prepared, since we are talking about a long-term future, to agree to periodic reviews of that issue, all the more so as we cannot in any event begin mining for about ten years. The President and I agreed, I believe, or at least I suggested to the President, and he is considering it, that we should strive at the end of this Conference to have some common text which becomes then the basis for a final conclusion and that some means be found within the remaining two weeks to reduce the various positions to a common text to which then formal amendments can perhaps be offered but which will provide a framework for the negotiation. The President and I are going to meet again for breakfast tomorrow in which I will review with him my impressions of my consultations today. I would like to stress the commitment of the United States to come to a solution that is in the interest of all mankind. We know that no agreement can

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last that is not freely accepted by the overwhelming majority of mankind. We hope that others here come to the same view, and we hope that everybody will realize that if we can establish a peaceful and legal solution to the problems of the ocean, a great step will also have been made towards peace on land. Thank you very much.

QUESTION: Mr. Secretary, some countries here want to stand pat, think that they will have better prospects under a new Administration. What can you tell me?

SECRETARY KISSINGER: Well, first of all, there won't be a new Administration, and secondly, I will tell them that the foreign policy of the United States is conducted on the basis of the best judgment of the permanent interests and values of the United States and I'm confident that any group studying this problem is going to come roughly to the same conclusions. I think it would be a great mistake for foreign nations to attempt to second guess the American domestic political process. On the views that we have expressed here, I find a wide consensus and I have not encountered any significant disagreement among any of the experts that we have consulted about the American position, and I think that this would be a great mistake and if the negotiation deadlocks completely, there is a much greater danger that the United States will act unilaterally than that the United States will change its position.

QUESTION: Mr. Secretary, you said last night that you were coming here with a new proposal. Will you tell us what those new proposals are?

SECRETARY KISSINGER: Well, I have indicated the areas in which we will keep discussing it, that is financial, how do you make the enterprise financially operative, review clauses, and we are willing to discuss other aspects of the views of our colleagues. I think it would be more appropriate if I had the discussions and then made it public than if I announce now, because this might inspire the rhetorical impulses of other delegations. (Laughter)

QUESTION: Are you going to address the Conference tomorrow?

SECRETARY KISSINGER: I have no such plans but I'm giving a reception for the delegation tonight and I plan to address them then informally.

QUESTION: With the extension of the exclusive economic zone to 200 miles and the power to search vessels within that zone, without use of the hovering vessels (inaudible).

SECRETARY KISSINGER: I'll tell you the truth, this is a degree of detail my associates have not yet revealed. (Laughter)

QUESTION: Are you working on a consolidated text?

SECRETARY KISSINGER: Well, I tried to avoid the word consolidated text, because I want to leave the nomenclature to the Conference. I believe that some common text that brings together the work of the three committees in a document that can then be the basis of negotiation, would be supported by the United States and would be a logical outcome of this Conference, and we are hoping that the President of the Conference will take leadership in that direction.

AMB. AMERASINGHE: Thank you very much Mr. President, if you don't mind I think I must excuse myself. Once again may I say how grateful I am to you for your presence here and for the encouragement you are offering us. Thank you.

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QUESTION: Mr. Secretary, referring to the funding of the enterprise are we speaking in terms of U. S. grants or loans, or are we thinking of somehow convincing U. S. companies to invest?

SECRETARY KISSINGER: Well, there are two aspects, one is the principle of finding financing for the enterprise; second, the means by which this is achieved. I think the second issue is subsidiary to the first because if we agree to find financing it will be negotiated in such a way that it is acceptable to the countries concerned. We think it is a reasonable proposition on the part of some of the developing nations to be sure that the enterprise does not become a paper institution but that it has an opportunity to function in what has been called the common heritage of mankind. The details of how we do this is open to negotiations. Thank you very much.

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